

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SAEED KAID, #78600-054,

Plaintiff,

v.

DAVID AKINS,

Defendant.

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**DECISION AND ORDER**  
15-CV-1024-A

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1). On October 4, 2017, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 47), recommending that the Defendant's motion for summary judgment under Fed. R. Civ. P. 56 (Dkt. No. 39) be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and no objections having been timely filed, it is hereby

**ORDERED**, that pursuant to 28 U.S.C. § 636(b)(1), and the Court finding no clear error or manifest injustice in the Report and Recommendation, defendant's motion for summary judgment under Fed. R. Civ. P. 56 is granted. The Clerk of Court shall enter judgment for the Defendant and close the case.

**IT IS SO ORDERED.**

*Richard J. Arcara*  
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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: November 20, 2017

